

URGENT

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**TELEFAX TRANSMITTAL**

**TO:** Commissioner of Patents

**FIRM:** United States Patent and Trademark Office

**FAX NO.:** 1-703-308-7751

**FROM:** H. Samuel Frost

**DATE:** October 29, 2001 **PAGES:** 18 20  
(Including cover sheet)

File No.: 9351-62

Lawyer No.: 23

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PTO/SB/57 (08-00)

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on October 29, 2001.

Date



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Signature

H. Samuel Frost

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**Response to Notice to File Missing Parts**

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

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# TRANSMITTAL FORM

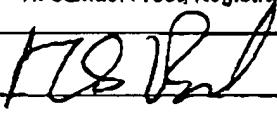
(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/800,468
		Filing Date	July 9, 2001
		First Named Inventor	Joe Cargnelli
		Group Art Unit	
		Examiner Name	
Total Number of Pages in This Submission	18	Attorney Docket Number	9351-62

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input checked="" type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) <i>(please identify below)</i>
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	BERESKIN & PARR	H. Samuel Frost, Registration NO. 31,696
Signature		
Date	October 29, 2001	

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D C 20231 on this date.

Typed or printed name			
Signature		Date	

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PTO/SB/17 (10-01)

Approved for use through 10/31/2002 OMB 0651-0032  
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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision

TOTAL AMOUNT OF PAYMENT (\$ 1,550.00)

## Complete if Known

Application Number	09/900,468
Filing Date	July 9, 2001
First Named Inventor	Joe Cargnelli
Examiner Name	
Group Art Unit	
Attorney Docket No.	9351-52

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge individual fees and credit any overpayments to my Deposit Account Number 022095.

Deposit Account Name Bereskin & Parr

Charge any additional fees required under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2.  Payment Enclosed:  
 Check  Credit card  Money Order  Other

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
138	130	138	130	Non-English specification	
147	2,520	147	2,520	Filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	218	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,200	242	640	Utility issue fee (or release)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Register each patent assignment per property (times number of properties)	40.00
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(e))	
140	740	249	370	For each additional invention to be examined (37 CFR § 1.129(e))	
179	740	279	370	Request for Continued Examination (RCE)	
168	900	189	900	Request for expedited examination of a design application	
Other fee (specify) _____					

## FEE CALCULATION

1. BASIC FILING FEE			
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Code (\$)	Fee Description
101	740	201	370 Utility filing fee
100	330	203	185 Design filing fee
107	510	207	255 Plant filing fee
108	740	208	370 Reissue filing fee
114	180	214	80 Provisional filing fee
SUBTOTAL (1) (\$)		740.00	

## 2. EXTRA CLAIM FEES

Total Claims	Extra Claims - 20** =	Fee from table	Fee Paid
Independent Claims	- 4** =	20 X 10.00	= 360.00
Multiple Dependent		280.00	= 280.00

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	
103	18	303	9 Claims in excess of 20
102	54	202	42 Independent claims in excess of 3
104	280	201	110 Multiple dependent claim, if not paid
109	84	209	42 ** Reissue independent claims over original patent
110	18	210	9 ** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)		640.00	

\*\* or number previously paid, if greater. For Reissues, see above

Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$ 170.00)

SUBMITTED BY		Completed (if applicable)	
Name (Print/Type)	H. Samuel Frost	Registration No. (Attorney/Agent)	36,696
Signature		Telephone	(416) 364 7311
		Date	October 29, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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#3.



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/900,468	07/09/2001	Joe Cargnelli	9351-62

CONFIRMATION NO. 4144

## FORMALITIES LETTER



\*000000006476936\*

Bereskin & Parr  
Box 401  
40 King Street  
Toronto, ON M5H 3Y2  
CANADA

Date Mailed. 08/27/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

12/18/2001 SSALEEKU 00000014 022095 09900468

01 FC:101 740.00 CH  
02 FC:103 360.00 CH  
03 FC:105 130.00 CH

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$630.
  - \$360 for 20 total claims over 20.
  - \$270 for multiple dependent claim surcharge.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1470.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

12/18/2001 SSALEEKU 00000015 022095 09900468

01 FC:104 280.00 CH

*A copy of this notice MUST be returned with the reply.*

*JK*  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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